

HARDY CASE GOES TO JURORS TO-DAY

Trial of Alleged Slayer of Tiberius Jones Is Nearly Ended.

SEEKS TO PROVE ALIBI

Witnesses Swear Hardy Was at His Home at Time of Murder.

(Special to The Times-Dispatch.)—According to the evidence of alibi witnesses in the Nannemond Circuit Court to-day, Sam Hardy was in bed three-fourths of a mile away from the death scene when Tiberius Jones was shot near his porch steps in Holland last October 26. Mrs. A. A. Holland, perhaps the star witness for the defense, said Hardy came from his store on the night of the tragedy at twenty minutes to 9 o'clock, complained of being unwell, and said he was going to take medicine and retire. Both Mr. and Mrs. Holland testified as to this. Mr. Holland said he and L. H. Whedbee passed through Hardy's bedroom shortly after 10 o'clock and saw a man's form, presumably Hardy's, on his bed, went out to an office in the yard, where they retired together about 10:15 o'clock.

Mrs. Holland said she went into Hardy's bedroom at a quarter to 11 o'clock, saw him in bed and noticed his clothing on a chair. The killing occurred about 10:30 o'clock.

Leonidas H. Whedbee, a guest at the home of the Hollands, corroborated the evidence of his hosts on most points and said he was positive he and Mr. Holland retired at 10:15 o'clock because he looked at his watch. He said it was his custom to consult his watch at bedtime, but he could not tell the time he retired last night or any other night, except October 26.

Mr. and Mrs. Holland failed to remember the movements of Hardy on nights preceding and succeeding the tragedy.

Mr. Whedbee was warned of impeachment, and this afternoon John Letcher Gay swore that Whedbee told him not long after Hardy's death that he (Whedbee) and A. A. Holland left the house on the night in question about 9:30 o'clock, and that they did not pass through Hardy's bedroom, but saw through a door, barely ajar, the form of a man in bed. Whedbee afterwards was introduced by the defense in rebuttal, but was not allowed to testify.

Whedbee and Gay this afternoon had some warm words on the street, but no blows were passed.

Everett Holland, a half-brother of Colonel E. E. Holland, State Senator, who was a social visitor at the Holland house, said it was 9:15 o'clock when he left. A statement of the witness had made to Commonwealth's Attorney Burges in his office, declaring that Whedbee and Holland left the house before he did, was read. The witness said he had changed his mind about this declaration after talking with S. E. Everett, of defense counsel, and now was not sure that he saw Whedbee and Holland that night.

Doc J. Daughtry said he saw Hardy sell a gun on October 26 to a stranger he had not seen before, nor has seen since, for \$15. He said the purchaser was a white man, who came away from the store in a buggy after inquiring the way to Somerton.

Great Crowd Present.

To-day's crowd was the largest of the trial. Nearly every clergyman in town was present, besides a few from a distance.

The evidence is nearly all in, and Judge McLemore announced this evening that the case should go to the jury Friday night.

After adjournment this evening the attorneys argued instructions, which were agreed to with little difficulty. Several of the instructions granted were identical with those given in the case of former Mayor Samuel McCreary, the convicted Charlottesville wife-murderer.

During the cross-examination to-day of B. R. Daughtry, a defense witness, he became excited at questions from Colonel Cabell, slapped his hands together, and asked protection of the court, saying he had come to tell only the truth. The defense's lawyers advised him to keep quiet, and the incident passed.

PERMANENT INSTITUTE.

Farmers Meet to Discuss Future of Organization.

(Special to The Times-Dispatch.)—ROANOKE, VA., February 4.—A meeting of members of the Farmers' Institute of this section in the Southwest and the Valley was held to-day to consider the incorporation of the organization by the committee. The members declared that its object was to make the institute permanent in Richmond, but adopted a resolution wishing the new organization success, with the understanding that those who were members before the incorporation need not so consider themselves.

Prescriptions Increase.

(Special to The Times-Dispatch.)—GREENSBORO, N. C., February 4.—During the month of January the number of liquor prescriptions shows an increase over the amount sold in December, there being 449 prescriptions in December, and 460 for whiskey and twelve for beer during January, which is an increase of fifty-three.

Entangling Mill.

(Special to The Times-Dispatch.)—SALISBURY, N. C., February 4.—Work was begun yesterday on the \$100,000 addition to the Kessler cotton mill located at this place. The contractors being T. C. Rhoads and Co. of Charlotte. The new structure will be 80 by 120 feet, two stories high, and will be used as a spinning-room. The enlargement is made in order to meet the growing needs of the mill.

William Shepherd Killed.

(Special to The Times-Dispatch.)—GLADESBORO, VA., February 4.—William Shepherd, of this place, was killed at Indianapolis last Saturday. Mr. Shepherd was working on a train of cars when killed. His remains were brought here for interment.

Worst in Years.

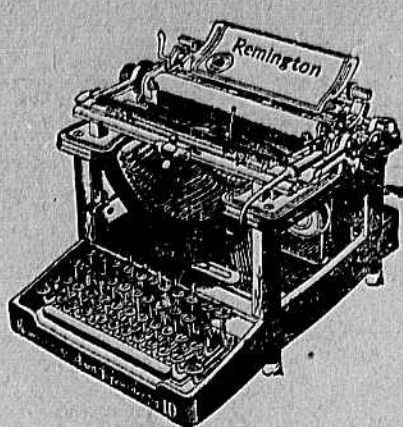
(Special to The Times-Dispatch.)—GLADESBORO, VA., February 4.—The coldest weather for many years in this vicinity is now being experienced. The river and smaller streams are blocked with ice and travel is practically suspended.

THE AROMA OF LUZIANNE COFFEE

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News of Petersburg

(Times-Dispatch Bureau, 109 North Byramore Street, Petersburg, Va., February 4.)

The official vote of Dinwiddie at the election held yesterday on the question of issuing \$100,000 in bonds for the permanent improvement of the main public roads of the county was: For bond issue, 531; against, 113; majority for the bond issue, 418. The victory for good roads was a very decisive one. The vote by districts was:

Districts. For Issue. Against. Major.	For Issue.	Against.	Major.
Namozine District.....	217	6	211
Darvill District.....	85	7	78
Rowanty District.....	148	56	92
Sapony District.....	81	44	37
Totals.....	531	113	418

Dinwiddie county has no bonded indebtedness, and is one of the wealthy counties of the Southside section. The aggregate value of its taxable properties, including railways, telegraph, telephone, canal and express companies, real estate and personal property, by districts, is as follows:

Namozine District.....	\$1,230,767 48
Rowanty District.....	\$21,627 83
Darvill District.....	\$72,056 66
Sapony District.....	\$79,151 42
Total.....	\$3,063,543 39

The amount of bonds of the \$100,000 issue proposed to be issued for each district, under the decree of the Circuit Court of the county, in accordance with road mileage in each district, is as follows:

Namozine District, \$100,000, to be paid for by an annual district tax of 17 cents on the \$100 of taxable values;
Darvill District, \$27,000, to be paid by an annual district tax of 25 cents on the \$100 of taxable values;
Rowanty District, \$22,500, to be paid by an annual district tax of 19 cents on the \$100 of taxable values;
Sapony District, \$23,000, to be paid by an annual district tax of 23 1/2 cents on the \$100 of taxable values.

On the basis of 5 per cent interest and 2 per cent for a sinking fund, it would be necessary under these apportionments, for the districts to raise by annual tax the following sums: Namozine, \$2,100; Rowanty, \$1,575; Darvill's, \$1,390; Sapony, \$1,810.

The good roads victory in Dinwiddie causes as much rejoicing in Petersburg as it does in the county. Petersburg is Dinwiddie's market town, and her most important thoroughfares lead directly or indirectly to this city.

Death of Miss Mary Dunn.

After an illness of some days of heart trouble, Miss Mary Dunn, a beloved Christian woman, died early this morning at her home on Hinton Street. Miss Dunn was known to nearly all the people here, and was esteemed and beloved for her womanly virtues, her gentleness and lovable character, her Christian devotion and her charities. She is survived by three sisters—Mrs. Ida Bolesau and Mrs. Martha Ouseby, of this city, and Mrs. Ella Davidson, of Oakland, Cal.—and by two brothers—Sidney Dunn, of North Carolina, and George W. Dunn, of Petersburg. She leaves a host of warm friends in this city and many in Richmond.

News in General.

Landy Walker, negro, was sentenced to jail for six months by the Police Justice this morning for stealing two bicycles from different owners. Two little colored boys who had knowledge of the thefts were ordered to be whipped.

Mrs. Matthews, while walking on Wythe Street last evening, had her pocketbook containing about \$10, snatched from her hand by a negro boy. She was walking with her uncle at the time. The negro fled and escaped with the money.

In the case of Montgomery Davis, colored, indicted under the anti-vice law, whose trial took place in the Hustings Court yesterday afternoon, the jury failed to agree on a verdict. Being still unable to agree this morning it was discharged, and the case continued. H. M. Smith, of Richmond, assisted Robert Gilliam, of this city, in the defense.

The coroner's jury in the case of Forrest Alken, the youth who died yesterday of lockjaw, caused by a gunshot wound in the leg, reached a verdict of death from lockjaw caused by a gunshot wound inflicted by a trap-gun set on the premises of E. L. Darnette, on Grove Avenue. The boy had stated that while trying to get through the window of the house he was shot, as he supposed by some one in the building.

The tobacco market has been active

Stabbed by Negro.

(Special to The Times-Dispatch.)—SALISBURY, N. C., February 4.—Upon advice from the government at Washington the work of cleaning off the site for the new Federal building in Salisbury was begun to-day. Bids for the construction of the building will be opened February 17, and it is expected that the successful bidder will begin work on the erection of the building at once.

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Worst in Years.

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RETURN FUNDS TO THE PENITENTIARY

Governor Recommends That Bonds Be Paid from Other Sources.

(Special to The Times-Dispatch.)—RALEIGH, N. C., February 4.—Speaker Graham was back in his chair this morning, after an absence of three days, and again there was hay made and very little talking.

The feature of the day was Governor Kitchen's message, transmitting Superintendent Mann's letter as to the finances of the State prison, and recommending that about \$48,000 be paid back to the penitentiary from the prison funds in the hands of the State Treasurer, being the money turned over for the liquidation of the prison bonds, and that the State provide other means for settling the bond issue. The message was placed in the hands of the Committee of the Senate and House on Penal Institutions.

Representative Doughton introduced a bill providing for the employment of a typewriter to aid the Supreme Court justices in their work, and a laborer to carry books to and from their homes. The Assembly member explained that this work had been done for twenty-five years, but by some oversight had not been provided for in the act of 1907, and consequently the Auditing Committee had reported some expenditures not warranted by the letter of the law.

To Condemn Street.

A bill by Mr. Morton allows the Seaboard Air Line to condemn part of Brunswick Street in Wilmington, for use, in addition to the present terminal yards of that road.

That women might be appointed as notaries public is the object of a bill by Mr. Weaver, of Buncombe.

An objection from Alexander county against the State prohibition law was registered. The share of a bill by Mr. Tenny to allow Alexander folk to make and sell brandy distilled from fruit grown on their own lands.

The present law against working on Sunday prohibits one from doing any work of his ordinary calling, for which he could work at something not his usual vocation. Representative Dowd introduced a bill to strike out the words quoted, and also to make violation a misdemeanor instead of merely punishable by a fine of \$1.

To prevent a judge from granting an injunction to stop a sale under execution is the purpose of a bill by Representative Grant, of Davie.

Representative Murphy, of Guilford, introduced the bill for the appropriation of \$100,000 for the improvement of the roads in the State. For building and other improvements \$15,000 each year for the next two years is asked.

BUDGET SUBMITTED.

Increase of Appropriation Asked in Every Lynchburg Department.

(Special to The Times-Dispatch.)—LYNCHBURG, VA., February 4.—The Finance Committee to-night reported the budget to the Common Council for the present fiscal year, the total appropriations for the year aggregating \$491,104.99. The appropriations last year were \$414,297.77, or an increase of \$76,807.22. This increase is in spite of the fact that \$50,000 paid in liquor licenses last year cannot be included this year. The budget under the State law lies over until to-morrow, when it will be adopted. No opposition is expected to it.

Practically every department of the municipal government is given increased appropriations. The money for streets and sewers aggregates \$77,500, an increase of \$29,500. Lights get \$16,000, an increase of \$4,000. The fire department gets an increase of \$3,100; sanitary and street cleaning departments, \$5,500; police department, \$2,500. The public school fund, which augments the State appropriation, is raised from \$47,000 to \$50,000, with \$3,500 additional as special appropriations. The salary account, on account of increased pay to officials, is lynched from \$12,000 to \$15,500.

There is no doubt that Lynchburg's budget is the third largest in the State, ranking next to Norfolk and Richmond.

SAFE DYNAMITED.

Robbers Make Escape After Burning Building.

(Special to The Times-Dispatch.)—SALISBURY, N. C., February 4.—Fire of incendiary origin destroyed the store and dwelling of F. M. Tyack, near Gold Hill, Rowan county, at an early hour this morning, entailing a loss of about \$10,000. It is also stated that the safe in the store was dynamited and it is believed robbery was the motive. The thieves escaped, though bloodhounds were placed on the trail. The fire had gained much headway, and a little was saved from either the store or dwelling. The amount of insurance is unknown.

Gets New Industry.

(Special to The Times-Dispatch.)—HIGH POINT, N. C., February 4.—This city is to have a new glass factory to do beveling and mirror work. The enterprise will be launched by a town, having had twenty years' experience. Plans will be perfected this week and incorporation papers secured.

Cows Are Banished.

(Special to The Times-Dispatch.)—BRISTOL, VA., February 4.—The City Council at last meeting voted to banish cows, sheep and hogs from the streets. There is a strong opposition from the owners of cows, and Councilman Hammett offered a substitute resolution providing that the ordinance be allowed to vote upon the question. This resolution was voted down by a vote of 4 to 5, and the ordinance carried by a slim vote. Both Bristol will now be free from the cow nuisance.

BATTLE IN PROSPECT.

Temperance People Up in Arms Over Granting of License.

(Special to The Times-Dispatch.)—SPENCER, N. C., February 4.—There is likelihood of a legal battle over the proposed sale of liquor on physicians' prescriptions in East Spencer, where licenses have been granted by both the Board of Aldermen and Rowan county commissioners to druggists for the sale of whiskey. The property owners of the town are up in arms, and it is stated by some that the matter will be contested. The charter of East Spencer provides that "there shall be no intoxicating liquors, wines or beers manufactured or sold in said town." In the face of this stipulation the license was granted, this being the only place in Rowan county where liquor can be legally sold.

In Spencer proper, situated across sixty-two miles of railway trackage from East Spencer, liquor has never been legally sold, and the citizens of this place have little fear of trouble from that line. Not only does the charter granted by the State prohibit the granting of license, but it is stipulated in the deeds granted to property holders here that in the event whiskey is sold on the premises, either legally or illegally, the title to the property will revert to the Southern Railway Company.

The case of the Commonwealth vs. Albert Harry and Marshall Fitzgerald, father, son and son-in-law, respectively, who were indicted at the last September term of court, is being tried this week. The Commonwealth elected to try Harry Fitzgerald first. The trial began Monday. It is charged in the indictment that Harry Fitzgerald, on June 4 shot Herbert Oliver, with intent to maim, disfigure, disable and kill. The people of this vicinity have taken a considerable interest in the case. The evidence is sensational in the extreme. All the evidence has been added by the Commonwealth, with the exception of rebuttal, and the defense is about through with its testimony.

The prosecution is being conducted by Commonwealth's Attorney S. B. Whitehead, assisted by Judge C. J. Campbell, of Asheville, and the defense is represented by the firm of Allen & Tucker.

NEW BOARD OF TRADE.

Organization of Business Men to Boom Wakefield.

(Special to The Times-Dispatch.)—WAKEFIELD, VA., February 4.—In response to a call from the Bank of Sussex and Surry, resulted in the organization of a Board of Trade for the town of Wakefield with the following officers: Professor J. J. Lincoln, president; E. W. Brittle, first vice-president; Thomas H. Hoverton, second vice-president; J. W. Preston, secretary, and N. B. Pond, treasurer. The executive committee elected was P. D. Bain, W. A. Stephenson, N. B. Pond, J. J. Lincoln and Dr. T. M. Raines. Thirty members were enrolled. The meeting was an enthusiastic one. The securing of local home central telephone office at Wakefield, the reviving of the electric light plant, and the extension of an experiment road from Surry through a portion of Sussex, were the items of business which received the most prominent notice and discussion.

PLAINTIFF GETS \$3,500.

(Special to The Times-Dispatch.)—WARRENTON, VA., February 4.—The case of Edward L. Jones, a colored freeman, who sued the Southern Railway for \$20,000 damages for injury to his ear while operating an engine with an alleged defective whistle, was given to the jury this afternoon. The jury awarded the plaintiff \$3,500. The case was represented by its local attorney, J. A. S. Keith, and Hon. J. S. Barbour. The plaintiff was represented by Machen & Moncreur, of Alexandria. Judge E. S. Turner presided.

ANSWER IS FILED.

"Drys" Make Reply to Petition of the "Wets."

(Special to The Times-Dispatch.)—ROANOKE, VA., February 4.—The three days having elapsed since the "wets" made their motion requiring the Anti-Saloon League to assign what portions of the contest were not correct, the "drys" filed their answer to-day. They deny that the failure of officers to attend their duty, the matter of the qualified voters, the constitutionality of the election law, and the statement that voters were debarrd from voting, are correct; and if they were, they would not have affected the result of the election. The court decided to hear arguments on the demurrer on February 10 and to hear the contest on its merits on February 22.

TRIOUBLED WITH STEPMOTHER.

Seventeen-Year-Old Boy Tries to Take Own Life.

(Special to The Times-Dispatch.)—ROANOKE, VA., February 4.—Ernest Urquhart, the seventeen-year-old son of Henry Urquhart, attempted suicide to-day by shooting himself in the head with his father's gun. The ball entered above his right eye and came out at the back of his head, but did not strike any vital part, and he will recover. Trouble with his stepmother made him tired of life.

DEPENDANT WINS.

On Second Trial Mrs. Jones Gets No Damages.

(Special to The Times-Dispatch.)—MARTINSVILLE, VA., February 4.—The case of Mrs. Sallie L. Jones against the town of Martinsville,

MR. DOOLEY RETURNS

The Times-Dispatch announces that Mr. Dooley will return to journalism on next Sunday, when he will make his bow and discuss "The Retiring President."

There is only one Mr. Dooley, and the many thousand readers of The Times-Dispatch will be delighted to give him a warm and laughing welcome next Sunday and many Sundays thereafter.

Read Sunday's Times-Dispatch.
It's Great. Order It Now.

prescriptions in East Spencer, where licenses have been granted by both the Board of Aldermen and Rowan county commissioners to druggists for the sale of whiskey. The property owners of the town are up in arms, and it is stated by some that the matter will be contested. The charter of East Spencer provides that "there shall be no intoxicating liquors, wines or beers manufactured or sold in said town." In the face of this stipulation the license was granted, this being the only place in Rowan county where liquor can be legally sold.

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CASE IS ON TRIAL.

Sensational Evidence in Hearing of Harry Fitzgerald.

(Special to The Times-Dispatch.)—LOVINGSTON, VA., February 4.—Court has been in session here for nearly two weeks, with Hon. Bennett T. Gordon presiding.

The case of the Commonwealth vs. Albert Harry and Marshall Fitzgerald, father, son and son-in-law, respectively, who were indicted at the last September term of court, is being tried this week. The Commonwealth elected to try Harry Fitzgerald first. The trial began Monday. It is charged in the indictment that Harry Fitzgerald, on June 4 shot Herbert Oliver, with intent to maim, disfigure, disable and kill. The people of this vicinity have taken a considerable interest in the case. The evidence is sensational in the extreme. All the evidence has been added by the Commonwealth, with the exception of rebuttal, and the defense is about through with its testimony.

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GOOD ROAD AT LAST.

Highway From Disputanta to Newville an Accomplished Fact.

(Special to The Times-Dispatch.)—DISPUTANTA, VA., February 4.—The new road from Disputanta to Newville is no longer a supposition. The Board of Supervisors of the county at its meeting in January paid the claims for the right of way, and to-day people are using half of the road. This road has been agitated for twenty-five years, and will be a great benefit to the people in the eastern part of the county, as it reduces the ten miles' travel from Newville to Disputanta to six and three-quarter miles.

Mr. J. J. Bishop, formerly of Pennsylvania but now operating several granges in this county, has been a great deal towards getting it through by donations of money, labor and material. About one mile of this road has been completed, and the village will be the prettiest drive from the place.

WANA'S CITIZENSHIP.

District Attorney Will Resist Application of Japanese Sailor.

(Special to The Times-Dispatch.)—NORFOLK, VA., February 4.—The announcement that a Japanese sailor, Nanyo Beaso, who wishes to become a citizen of the United States, under the act of Congress that permits an alien, after five years of service in the navy, to naturalize as a citizen.

Consentation will be resisted under the Federal law that prohibits any but free white aliens and aliens of African nativity or descent to become citizens. United States District Attorney Talley was down from Richmond to contest the case, but owing to the fact that Judge Waddell was otherwise engaged, the hearing went over to the 10th.

PLUMBER CONVICTED.

Charged With Dodging Gas Meter and Heating His House.

(Special to The Times-Dispatch.)—NORFOLK, VA., February 4.—In the Police Court this morning W. R. Fulford, a well known plumber of the city, was fined \$200 and sentenced to thirty days in jail on the charge of robbing the City Gas Company. Mr. Fulford gave bond and appealed the case to the Corporation Court.

The charge is that Fulford had connected a pipe with the feed pipe of the company before it passed through the meter, and in this manner heated his house without the gas used being registered by passing through the meter.

Camp Is Organized.

(Special to The Times-Dispatch.)—FREDRICKSBURG, VA., February 4.—A camp of the Federal Order, Sons of America, has been organized in Spotsylvania county, with the following officers: Past President, Preston

ROANOKE, VA., February 4.—The sale of the Overlook Mountain Electric Railway, formerly operated by the Rapid Transit Company, a Pennsylvania corporation, was completed to-day. The purchase price is not announced.

The purchasers are R. S. Howland, former owners of the Norfolk and Southern Railway, and Messrs. Barbee, Moale and Chiles, a local corporation.

CASTORIA.

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Signature of Dr. J. C. H. H. H.

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Do you?

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